

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SAP AG and SAP AMERICA, INC.,

Plaintiff,

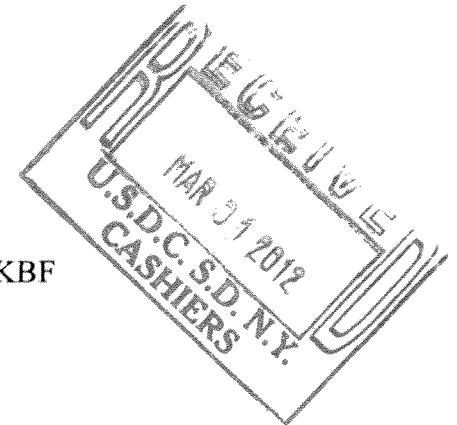
v.

DATATERN, INC.,

Defendant.

Case No. 1:11-cv-02648 KBF

(ECF CASE)



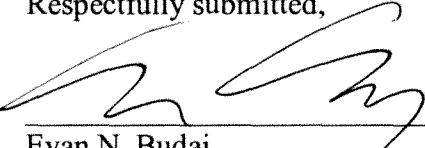
**MOTION FOR ADMISSION PRO HAC VICE**

Pursuant to Rule 1.3 of the Local Rules of the United States Courts for the Southern and Eastern District of New York, I Evan N. Budaj, hereby move this Court for an Order for admission to practice Pro Hac Vice to appear as counsel for SAP AG and SAP America, Inc. in the above-captioned action.

I am in good standing of the bar of the State of California and there are no pending disciplinary proceedings against me in any state or federal court.

Dated: February 29, 2012

Respectfully submitted,

  
Evan N. Budaj  
Weil, Gotshal & Manges LLP  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065  
(650) 802-3000 Telephone/(650) 802-3100 Fax  
evan.budaj@weil.com

**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the above Motion for Admission Pro Hac Vice, Declaration in Support of Motion for Admission Pro Hac Vice and Proposed Order was served on this 29th day of February, 2012 upon counsel of record for Microsoft Corp., Datatern, Inc., SAP America, Inc., and SAP AG via first class mail.

Lee Carl Bromberg  
lbromberg@mccarter.com  
William A. Zucker  
wzucker@mccarter.com  
Erik Paul Belt  
ebelt@mccarter.com  
McCarter & English, LLP  
265 Franklin Street  
Boston, MA 02110  
(617) 449-6500 telephone  
(617) 607-9200 facsimile

*Attorneys for Datatern, Inc.*

Danielle Lauren Rose  
danielle.rose@kobrekim.com  
Carrie Ann Tendler  
carrie.tendler@kobrekim.com  
Megha Jonnalagadda Charalambides  
megha.charalambides@kobrekim.com  
Michael Sangyun Kim  
michael.kim@kobrekim.com  
Kobre & Kim LLP  
800 Third Avenue, 6th Floor  
New York, NY 10022  
(212) 488-1200 telephone  
(212) 488-1220 facsimile

*Attorneys for Microsoft Corporation*

Aleksander J. Goranin  
agoranin@woodcock.com  
C. Charlie Lyu  
clyu@woodcock.com  
Daniel Goettle  
dgoettle@woodcock.com  
Justine M. Leach  
jleach@woodcock.com  
Steven J. Rocci  
rocci@woodcock.com  
Woodcock Washburn LLP  
2929 Arch Street, Cira Center, 12th Floor  
Philadelphia, PA 19104-2891  
(215) 568.3100 telephone  
(215)568.3439 facsimile

John Dellaportas  
dellajo@duanemorris.com  
Evangelos Michailidis  
emichailidis@duanemorris.com  
Matthew A. Taylor  
mataylor@duanemorris.com  
Duane Morris LP  
1540 Broadway  
New York, NY 10036  
(212) 692-1000 telephone  
(212) 692-1020 facsimile

*Attorneys for SAP America, Inc. and SAP AG*

Dale M. Heist  
heist@woodcock.com  
Woodcock Washburn LLP  
1650 Market Street  
Philadelphia, PA 19103  
(215) 564-8939 telephone  
(215) 568-3439 facsimile

*Attorneys for SAP America, Inc., SAP AG, and Microsoft Corporation*

  
Karen A. Gotelli

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SAP AG and SAP AMERICA, INC.,

Plaintiff,

v.

DATATERN, INC.,

Defendant.

Case No. 1:11-cv-02648 KBF  
(ECF CASE)

**DECLARATION OF EVAN N. BUDAJ IN SUPPORT OF  
MOTION FOR ADMISSION PRO HAC VICE**

I, Evan N. Budaj, declare under penalty of perjury as follows:

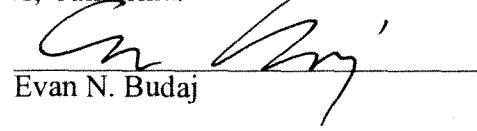
1. I am an attorney with Weil, Gotshal & Manges LLP, counsel for SAP AG and SAP America, Inc. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of my motion for admission pro hac vice as counsel to represent SAP AG and SAP America, Inc. in the above-captioned matter.

2. I am a member in good standing of the bar of the State of California and was admitted to practice law on November 22, 2010. I am also admitted to the United States District Court for the Northern District of California. I am in good standing with all of these courts and there are no disciplinary proceedings pending against me.

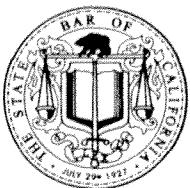
3. Pursuant to Local Civil Rule 1.3(c), I have attached a certificate of good standing for the bar of the State of California as Exhibit A hereto.

4. I am experienced in federal practice and familiar with the Federal Rules of Civil Procedure and the rules of this Court.

Executed this 29th day of February, 2012 at Redwood Shores, California.

  
Evan N. Budaj

## **EXHIBIT A**



**THE STATE BAR  
OF CALIFORNIA**

**MEMBER SERVICES CENTER**

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

**CERTIFICATE OF STANDING**

February 3, 2012

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, EVAN N. BUDAJ, #271213 was admitted to the practice of law in this state by the Supreme Court of California on November 22, 2010; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert".  
Kath Lambert  
Custodian of Membership Records

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SAP AG and SAP AMERICA, INC.,

Plaintiff,

v.

DATATERN, INC.,

Defendant.

Case No. 1:11-cv-02648 KBF

(ECF CASE)

**ORDER FOR ADMISSION PRO HAC VICE**

The motion of Evan N. Budaj, for admission to practice Pro Hac Vice in the above-captioned action is granted.

Applicant has declared that he is a member in good standing of the bar of the State of California; and that his contact information is as follows:

Evan N. Budaj

Weil, Gotshal & Manges LLP

201 Redwood Shores Parkway

Redwood Shores, California 94065

(650) 802-3000 telephone/(650) 802-3100 facsimile

Applicant having requested admission Pro Hac Vice to appear for all purposes as counsel for SAP AG and SAP America, Inc. in the above-entitled action;

**IT IS HEREBY ORDERED** that Applicant is admitted to practice Pro Hac Vice in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the

Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at  
apply for an ECF PASSWORD.

Dated:

---

United States District Judge